

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CITY OF GRASS VALLEY,

Plaintiff,

No. CIV S-04-0149 DAD

v.

NEWMONT MINING CORPORATION,
et al.,

Defendants.

ORDER

At the parties' joint request, this case was set for a status conference to discuss trial procedures. On November 14, 2008, at 10:00 a.m., Michael D. Axline, Evan Eickmeyer, and Howard Specter appeared on behalf of plaintiff City of Grass Valley. Michael G. Romey, Susan P. Welch, Elizabeth H. Temkin, and Craig C. Allison appeared on behalf of defendants Newmont Mining Corporation, Newmont USA Limited, Newmont North America Exploration Limited, New Verde Mines LLC, and Newmont Realty Company.

For the reasons set forth on the record at the status conference, IT IS ORDERED that:

1. Jury trial is **CONFIRMED** for **Tuesday, January 20, 2009, at 10:00 a.m.**, in Courtroom No. 27. The undersigned declines to streamline the trial in the manner suggested by defendants in their status conference statement.

2. A Final Status Conference is SET for **Tuesday, January 13, 2009, at 1:30 p.m.** in Courtroom No. 27. Counsel may appear at the conference telephonically. Counsel wishing to make a telephonic appearance shall contact Pete Buzo, courtroom deputy to the undersigned, at (916) 930-4128, at least forty-eight hours prior to the status conference.

3. Defendants are granted leave to add to their trial Exhibit List the two documents attached to defendants' status conference statement (Doc. No. 458).

4. The parties shall meet and confer regarding the reduction of exhibits and witnesses for trial; revised exhibit and witness lists shall be submitted to the court on or before January 10, 2009.

DATED: November 17, 2008.

Dale A. Drozd
DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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